

City of Portland, Maine – Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

| | | | | | | |
|--|--|---|--|--|---------------|--|
| Location of Construction: *** 107 Milton St | | Owner: *** Mark Silverman | | Phone: *** 797-7301 or 774-5000x389 | | Permit No: 000954 |
| Owner Address: SAA | | Lessee/Buyer's Name: | | Phone: | BusinessName: | |
| Contractor Name: Butch Gagnon | | Address: | | Phone: 878-2028 | | Permit Issued: AUG 30 2000 |
| Past Use: single family | | Proposed Use: same <i>Additional unit</i> | | COST OF WORK: \$ 35,000 | | PERMIT FEE: \$ 204.00 |
| Proposed Project Description: 2 car garage with apt | | FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied | | INSPECTION: Use Group: A-3 Type 5B BOCA 299 Signature: <i>[Signature]</i> | | Zoning: R-2 CBL: 336-H-040 to 42 |
| | | Signature: | | Date: | | Zoning Approval: <i>[Signature]</i> 8/28/00 Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/> |
| Permit Taken By: K | | Date Applied For: Aug 24 2000 K | | PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied | | |
| | | Signature: | | Date: | | |

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

ZBA Approved use 8/27/00

Call Mark #'s above

PERMIT ISSUED WITH REQUIREMENTS

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT _____ ADDRESS: _____ DATE: **Aug 24 2000** PHONE: _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ PHONE: _____

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

Zoning Appeal

Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved 7/27/00
 Denied

Historic Preservation

Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:

Approved
 Approved with Conditions
 Denied

Date: *[Signature]*

PERMIT ISSUED WITH REQUIREMENTS
CEO DISTRICT 1

ISSUED 66 8/30

COMMENTS

9-8-00 footing setback to side prop line 14", Front 32", need to submit New plans showing addition location change JB

9-17-00 Spoke w/ Butch bagnon pre-con - need new plans - Amendment to show change. Also inquired about maximum sq ft allowed for conditional use - see Attached JB

11-6-00 Close-in inspection - Stairs ok, need scuttle 22x30 - will have to get Truss design change due to 16 o.c. went over Fire enclosure separation 1 in. Need to check w/ Sam on his note #37 No Egress to garage. Need to Amend permit for exterior deck. Need specs on LVL's. OR to close JB

Need As Built Plans (Dormer elimination - Laundry room moved) Egress window size in question - called Butch bagnon 11/8 JB

11/8-11/9 left messages for Butch to call - he's hunting JB

11/13 Spoke to Butch regarding Close-in issues - he will move Egress Fire door to Garage opening. Check Egress window size and possible adjustment, scuttle cut and 2x6 gusseted back down to bearing wall, New plans and Specs in progress. JB

11/13 Verified w/ Sam H. That Proposed deck in rear will meet Egress requirement so No Floor will be needed at Garage opening. Fire Door is at top of 1st set of stairs. Butch confirmed there is attaching 5/8" sheetrock to existing house at That location. JB

Egress window will be adjusted by Wickes - Need to check again. JB

Inspection Record

| Type | Date |
|-------------|------|
| Foundation: | |
| Framing: | |
| Plumbing: | |
| Final: | |
| Other: | |

THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED

**Building or Use Permit Pre-Application
Additions/Alterations/Accessory Structures
To Detached Single Family Dwelling**

In the interest of processing your application in the quickest possible manner, please complete the Information below for a Building or Use Permit.

NOTEIf you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.**

| | | |
|--|-------------------------------------|--|
| Location/Address of Construction: <u>107 Milton St. Portland, ME. 04103</u> | | |
| Tax Assessor's Chart, Block & Lot Number Chart# <u>3316</u> Block# <u>H</u> Lot# <u>040</u> | Owner: <u>Mark Silverman</u> | Telephone# <u>797-7301-H</u> <u>774-5000 X389-W</u> |
| Owner's Address: <u>107 Milton St. Portland, ME. 04103</u> | Lessee/Buyer's Name (If Applicable) | Cost Of Work: <u>\$35,000.00</u> Fee: <u>\$204</u> |
| Proposed Project Description: (Please be as specific as possible) <u>Single family dwelling unit with an accessory dwelling unit for the use of an older person. 2 car garage</u> | | |
| Contractor's Name, Address & Telephone <u>Butch Gagnon</u> <u>878-2028-H</u> <u>874-8422-W</u> | | Rec'd By: <u>(Signature)</u> |

Separate permits are required for Internal & External Plumbing, HVAC and Electrical installation.

- All construction must be conducted in compliance with the 1996 B.O.C.A. Building Code as amended by Section 6-Art II.
 - All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
 - All Electrical Installation must comply with the 1996 National Electrical Code as amended by Section 6-Art III.
- HVAC (Heating, Ventilation and Air Conditioning) installation must comply with the 1993 BOCA Mechanical Code.

You must Include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) A Copy of your Construction Contract, if available
- 3) A Plot Plan (Sample Attached)

Paid 30.00 7/11/00

If there is expansion to the structure, a complete plot plan (Site Plan) must include:

- The shape and dimension of the lot, all existing buildings (if any), the proposed structure and the distance from the actual property lines. Structures include decks porches, a bow windows cantilever sections and roof overhangs, as well as, sheds, pools, garages and any other accessory structures.
- Scale and required zoning district setbacks

4) Building Plans (Sample Attached)

A complete set of construction drawings showing all of the following elements of construction:

- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

Certification

I hereby certify that I am the Owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

| | |
|---|----------------------|
| Signature of applicant: <u>Mark Silverman</u> | Date: <u>8-23-00</u> |
|---|----------------------|

Building Permit Fee: \$30.00 for the 1st \$1000.cost plus \$6.00 per \$1,000.00 construction cost thereafter.

BUILDING PERMIT REPORT

DATE: 29 Aug 2004 ADDRESS: 107 MILTON ST. CBL: 336-H-04070042

REASON FOR PERMIT: 2 Car garage with apt

BUILDING OWNER: Mark Silverman

PERMIT APPLICANT: CONTRACTOR Butch Gagnon

USE GROUP: A-3 CONSTRUCTION TYPE: 50 CONSTRUCTION COST: 35,000 PERMIT FEES: 204.00

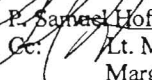
The City's Adopted Building Code (The BOCA National Building code/1999 with City Amendments)
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions shall be met: *1, *2, *3, *4, *5, *8, *11, *12, *13, *14, *15, *19, *27, *29, *32, *33, *36, *37, *38

- *1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
*2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained.
*3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve.
*4. Foundations anchors shall be a minimum of 1/2" in diameter, T into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' O.C. between bolts.
*5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
*6. Precaution must be taken to protect concrete from freezing.
*7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed.
*8. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating.
*9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code.
*10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
*11. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level.
*12. Headroom in habitable space is a minimum of 7'0".
*13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/2" maximum rise.
*14. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
*15. Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue.
16. Each apartment shall have access to two (2) separate, remote and approved means of egress.
17. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closer's.
18. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment.

- *19. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1999), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):
- In the immediate vicinity of bedrooms
 - In all bedrooms
 - In each story within a dwelling unit, including basements
20. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. (Section 921.0)
21. The Fire Alarm System shall maintained to NFPA #72 Standard.
22. The Sprinkler System shall installed and maintained to NFPA #13 Standard.
23. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1999)
24. Section 25 - 135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
25. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification the Division of Inspection Services.
26. Ventilation shall meet the requirements of Chapter 12 Sections 1210.0 of the City's Building Code. (Crawl spaces & attics).
- *27. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.
28. All requirements must be met before a final Certificate of Occupancy is issued.
- *29. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code (The BOCA National Building Code/1999).
30. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical code (The BOCA National Mechanical Code/1993). (Chapter M-16)
31. Please read and implement the attached Land Use Zoning report requirements.
- *32. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code.
- *33. Bridging shall comply with Section 2305.16.
34. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2405.0)
35. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1999).
- *36. Information shall be submitted on the proposed LUL 2-134/18'' For The Carriage beam before work is started.
- *37. No egress from apt. into garage is allowed - a one hour fire rated partition shall be placed between a stair and garage - lower level plan
- *38. Detail spanning 1 Hr. Assemblies shall be submitted before work is started - wall - ceiling -


 P. Samuel Hoffses, Building Inspector
 Cc: Lt. McDougall, PFD
 Marge Schmuckal, Zoning Administrator

PSH 11/25/99

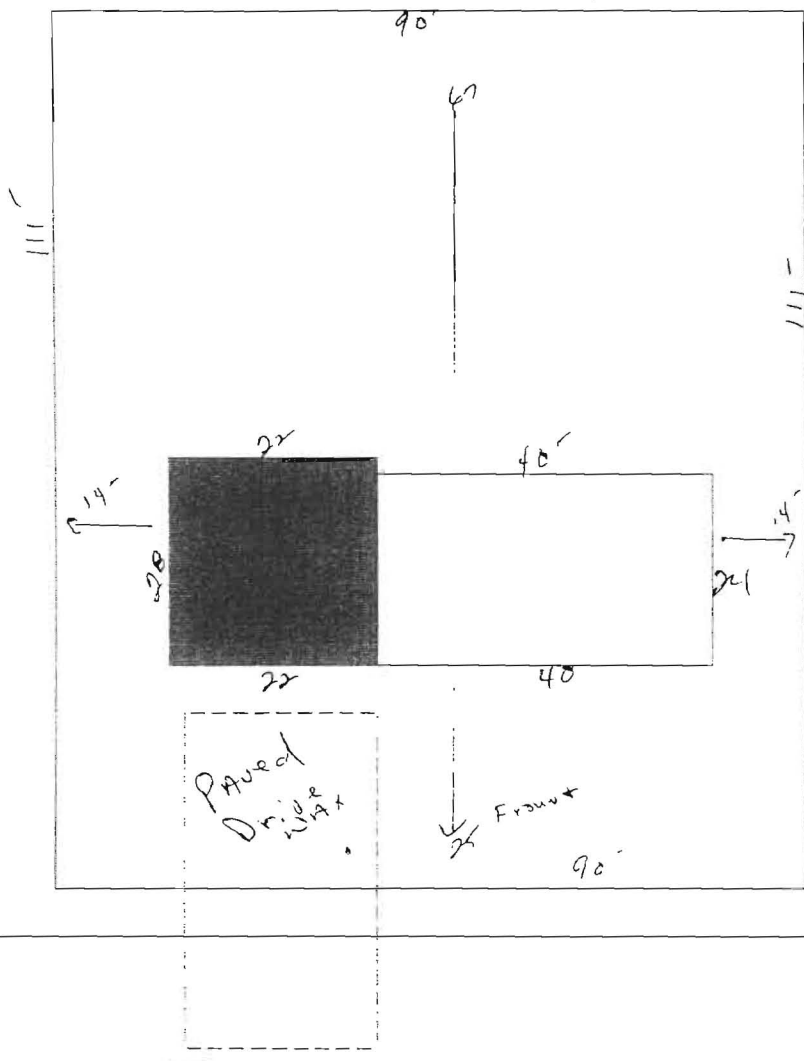
**This Permit is herewith issued, on the basis of plans submitted and conditions placed the plans, any deviations shall require a separate approval.

***THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD.

**** Certificate of Occupancy Fees: \$50.00 each

***** All PLANS THAT REQUIRE A PROFESSIONAL DESIGN'S SEAL, (AS PER SECTION 114.0 OF THE BUILDING CODE) SHALL ALSO BE PRESENTED TO THIS DIVISION ON AUTO CAD LT. 2000 OR REQUIVALENT.

107 Milton Street Portland, ME



R-2 Zone

Front - 25' req - 25' shown
side (25ft) - 14' req - 14' shown
rear - 25' req - 67' shown

Structure intended for elderly housing over attached garage.
Lot Size 10,000 sq. ft. Age 1994
Style Raised Ranch with finished lower level

PROPOSAL

| |
|---------------|
| PROPOSAL NO. |
| SHEET NO. |
| DATE 08/22/00 |

PROPOSAL SUBMITTED TO:

WORK TO BE PERFORMED AT:

| | |
|------------------------------|---|
| NAME Mark Silverman | ADDRESS 107 Milton St. |
| ADDRESS 107 Milton St | CITY, STATE Portland, ME. |
| CITY, STATE Portland, ME. | DATE OF PLANS 7-15-00 |
| PHONE NO. 797-7301 | ARCHITECT Planning & Design Associates |

We hereby propose to furnish the materials and perform the labor necessary for the completion of

A (2) TWO CAR GARAGE 22X28
WITH AN APARTMENT OVER GARAGE

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of:

THIRTY FIVE THOUSAND $\frac{00}{100}$ Dollars (\$ 35,000.00)

with payments to be as follows

Any alterations or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted

Per

W. W. Ryan

Note - This proposal may be withdrawn by us if not accepted within 14 days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

SIGNATURE _____

DATE _____

SIGNATURE _____

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

Elizabeth Bordowitz, Chair
Lee Lowry, Secretary
Andrew Braceras
Julie Brady
Tracy Decker
William Neleski, Jr.
Sam Sivovlos

July 31, 2000

Mark Silverman
107 Milton Street
Portland, ME 04103

RE: 107 Milton Street
CBL: 336 H040, 042
ZONE: R-2 Zone


Dear Mr. Silverman;

As you know, at its July 27, 2000 meeting, **the Board of Appeals voted 4-0 to grant** your Conditional Use appeal for a change of use from a single family dwelling to a single family dwelling unit with an accessory dwelling unit for the use of an older person, R-2 Zone. Enclosed please find a copy of the Board's decision.

You will now need to apply for a change of use permit to finalize the Zoning Board of Appeals allowance.

Should you have any questions regarding this matter, please do not hesitate to contact either Nadine Williamson, Office Manager or myself.

Sincerely,


Marge Schmuckal
Zoning Administrator

MS/nbw
Enclosure

CC: Area 1 (Arthur Rowe, Steve Wentworth, and Jeanie Bourke)

Board of Appeals
City of Portland
389 Congress St.
Portland, ME. 04101

Re: Approval to build a 2 car garage with elderly housing above it at the residence of Mark & Suzanne Silverman, 107 Milton St., Portland, ME. 04103.

Below are the requirements that I have outlined regarding Section 14-78 (Conditional use), Items b-I through vii of the Portland Code.

b-i. The total square footage of the house is as follows: First floor $24 \times 40 = 960$ square feet. 5x6 Mudroom=30 square feet. Lower floor $24 \times 40 = 960$ square feet. Accessory Unit $22 \times 28 = 616$ square feet. Total square feet=2,566 square feet. 25% of 2,566 square feet=641.5 square feet. **The accessory unit equals 616 square feet, which meets the minimum floor area of 400 square feet and also is no more than the 641.5 square feet, which is 25% of the total gross floor area.**

b-ii. My house is a single-family dwelling that was built in 1994 and the lot size is 10,000 square feet.

b-iii. The stairway, to get into the current dwelling and attached dwelling will be from the door aside the garage door or through the garage door. No outside stairways will be erected.

b-iv. All 28 conditions on the building permit report will be adhered to plus any others that maybe added. The roof of the garage will have a dormer in the back and the front will be sloped the same as the house. The attached garage will have the same vinyl siding that is on the house.

b-v. The average of the floor to ceiling height above ground is 4.9 feet. The ceiling height is 7 feet. Two-thirds of the floor to ceiling height equals 4.66 feet, which is below the requirement of the average floor to ceiling height above ground of 4.9 feet. The average floor to ceiling height above ground was calculated by taking the front of 5.4 feet, two sides of the house which averaged 4.9 feet and the rear which equaled 4.4 feet and adding them up and dividing by 4 to equal 4.9 feet.

b-vi. My wife, son, and I will occupy the principal dwelling and my mother will occupy the accessory unit.

b-vii. My mother, Annie Silverman, who is 80 years old, will occupy the accessory unit.

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



OFFICE OF THE CLERK

CONDITIONAL USE APPEAL

DECISION

Name and address of applicant: Mark Silverman

107 Milton St, Portland, ME 04103

Location of property under appeal: (SAME) M 336 - Bl. H, Lot 40-42

For the Record

Names and addresses of witnesses (proponents, opponents and others):

Mark Silverman

Exhibits admitted (e.g., renderings, reports, etc.):

application

Findings of Fact

1. The proposed conditional use is ~~is not~~ (circle one) permitted under Section 14-7B.1b of the zoning ordinance, for the following reason(s):

2. The proposed conditional use does ~~does not~~ (circle one) meet all special standards, conditions or requirements, if any, applicable thereto, for the following reason(s):

3-A. There are ~~are not~~ (circle one) unique or distinctive characteristics or effects associated with the proposed conditional use, for the following reason(s):

3-B. There will/~~will not~~ (circle one) be an adverse impact on the health, safety or welfare of the public or the surrounding area, for the following reason(s): _____

3-C. The impact ~~does~~/~~does not~~ (circle one) differ substantially from the impact which would normally occur from such a use in this zone, for the following reason(s): _____

Conclusion*

After public hearing on 7/27/2000, and for the reasons above-stated, the accompanying application is hereby (check one)

granted

granted subject to the following condition(s): _____

denied.

Dated: 7/27/2000

Joseph E. [Signature]
Secretary of the Board

*The application may be denied only if either the finding for #1 or 2 above is in the negative or the findings for #'s 3-A, 3-B and 3-C above are each in the affirmative.



CITY OF PORTLAND, MAINE
Department of Building Inspection

Dec 15 2000

Received from _____ a fee

of _____ /100 Dollars \$ 17.00

for permit to install
 erect
 alter 000.954

at 107 M... move
11/30/00 demolish Est. Cost \$ 3,500.00

11/15/00 _____
Cash 15.00 Inspector of buildings
Per _____

THIS IS NOT A PERMIT

No work is to be started until PERMIT CARD is actually posted upon the premises. Acceptance of fee is no guarantee that permit will be granted. PRESERVE THIS RECEIPT. In case permit cannot be granted the amount of the fee will be refunded upon return of the receipt less \$5.00 or 10% whichever is greater.

CBL 336-H-040

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Auditors Copy